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AN ACT

RELATING TO GAMING; EXPANDING THE USE OF LIENS ON LOTTERY
WINNINGS BY THE HUMAN SERVICES DEPARTMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-24-22 NMSA 1978 (being Laws 1995,
Chapter 155, Section 22) is amended to read:

"6-24-22. LIEN ON LOTTERY WINNINGS FOR DEBT COLLECTED
BY HUMAN SERVICES DEPARTMENT--PAYMENT TO DEPARTMENT--
PROCEDURE.--

A. The human services department shall
periodically certify to the authority the names and social
security numbers of persons owing a debt to or collected by
the human services department. This list shall include
individuals that owe child support being collected by the
state's child support enforcement agency pursuant to Title
IV-D of the Social Security Act.

B. Prior to the payment of a lottery prize in
excess of six hundred dollars (\$600), the lottery shall check
the name of the winner against the list of names and social
security numbers of persons owing a debt to or collected by
the human services department.

C. If the prize winner is on the list of persons
owing a debt to or collected by the agency, the lottery shall
make a good-faith attempt to notify the human services

1 department, and the department then has a lien against the
2 lottery prize in the amount of the debt owed to or collected
3 by the agency. The lottery has no liability to the human
4 services department or the person on whose behalf the
5 department is collecting the debt if the lottery fails to
6 match a winner's name to a name on the list or is unable to
7 notify the department of a match. The department shall
8 provide the lottery with written notice of a lien promptly
9 within five working days after the lottery notifies the
10 department of a match.

11 D. If the lottery prize is to be paid directly by
12 the authority, the amount of the debt owed to or collected by
13 the human services department shall be held by the lottery
14 for a period of ninety days from the lottery's confirmation
15 of the amount of the debt to allow the department to
16 institute any necessary administrative seizure proceedings in
17 accordance with Section 27-1-11 NMSA 1978. If an
18 administrative seizure a proceeding is not initiated within
19 the ninety-day period, the authority shall release the
20 lottery prize payment to the winner.

21 E. The human services department, in its
22 discretion, may release or partially release the lien upon
23 written notice to the authority.

24 F. A lien or administrative seizure established
25 against a lottery prize on behalf of a child support

1 enforcement case shall take first priority over all other
2 liens established by the department.

3 G. A lien under this section is in addition to any
4 other lien created by law." _____

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